

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Order Filed on February 20, 2025  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

In Re:  
William J. Smith.

Case No.: 17-34790 (MBK)

Chapter: 13

Judge: Michael B. Kaplan

**ORDER GRANTING APPLICATION FOR  
PAYMENT OF UNCLAIMED FUNDS**

The relief set forth on the following pages is **ORDERED**.

**DATED: February 20, 2025**

  
\_\_\_\_\_  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

This matter comes before the Court on an Application for Unclaimed Funds (the "Application") deposited with the Court pursuant to 11 U.S.C. § 347(a) in the amount of \$237,410.06. The Application was allegedly filed by Debtor William J. Smith, the individual on whose behalf the funds were deposited. Upon close review, the Court suspected that the Application was filed fraudulently and scheduled the matter for a hearing. While the Application was pending, the true Debtor became aware of the Application and submitted documentation in support of his entitlement to the funds. The Court held two separate hearings to determine the Debtor's identity and entitlement to the funds. During the in-person hearing on February 13, 2025 the Court, among other things, asked Debtor's bankruptcy counsel (Mr. Hanratty) to identify the Debtor, and took testimony from the Debtor while under oath. The United States Trustee also had the opportunity to question the Debtor.

The Debtor clarified that he was not the individual who had filed the Application, and he confirmed that he had not filed a Change of Address form altering his address from one in New Jersey to one in Georgia. However, the Debtor adequately explained his entitlement to the funds and his reasons for not seeking the funds sooner by way of his own Application. The Debtor confirmed his identity, which was supported by his bankruptcy counsel, and he provided supporting documentation which has been uploaded to the docket. Immediately following the hearing, the Debtor provided a new Change of Address form and his address has been changed to a PO Box at which he receives mail.

Ultimately, the Court concluded that the individual appearing at the in-person hearing was, in fact, the Debtor who is entitled to the funds in question. For the reasons set forth on the record and for good cause it is hereby

ORDERED that, pursuant to 28 U.S.C. § 2042, the sum of \$237,410.06 held in unclaimed funds be made payable to

William J. Smith

and be disbursed to the payee at the following address:

PO Box 231  
Bay Head, NJ 08742

The Clerk will disburse these funds not earlier than 14 days after entry of this Order; and it is further

ORDERED that in order to receive payment, the Claimant must provide the Court with the Claimant's tax identification number (TIN) on a form completed and signed by the Claimant to whom funds are being distributed according to the requirements below. This document must include the bankruptcy case number and should be sent to the Court at either of the following addresses:

unclaimedfunds@njb.uscourts.gov

or:

United States Bankruptcy Court  
Martin Luther King, Jr. Federal Bldg.  
**Attention: Financial Department**  
50 Walnut Street  
P.O. Box 1352 Newark, NJ 07102

- a. **Domestic Claimant** - A Claimant who is a U.S. person must submit either:
- 1) Court Form AO-213P (available on the Court's website); or
  - 2) IRS Form W-9 (accessible by searching on the Internal Revenue Service (IRS) website at: <https://www.irs.gov/>).

**NOTE:** If a claimant desires payment via Electronic Funds Transfer (EFT), then Court Form AO-213P must be used.

- b. **Foreign Claimant** - A foreign claimant must submit both:
- 1) IRS Form W-8 (accessible by searching on the IRS website at: <https://www.irs.gov/>); and
  - 2) Court Form AO-215 (available on the Court's website).